

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

|                       |   |                                      |
|-----------------------|---|--------------------------------------|
| Cary Jurgens,         | ) |                                      |
|                       | ) |                                      |
| Plaintiff,            | ) | <b>ORDER ADOPTING STIPULATION TO</b> |
|                       | ) | <b>AMEND COMPLAINT</b>               |
| vs.                   | ) |                                      |
|                       | ) |                                      |
| BNSF Railway Company, | ) |                                      |
| a corporation,        | ) | Case No. 1:17-cv-179                 |
|                       | ) |                                      |
| Defendant.            | ) |                                      |

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Before the court is the parties' Stipulation to Amend Complaint. The court **ADOPTS** the parties' stipulation (Doc. No. 42). Plaintiffs' claims asserting violations of the Locomotive Inspection Act, Safety Appliance Act, and violations of state law and regulations are deemed withdrawn.

**IT IS SO ORDERED.**

Dated this 5th day of March, 2019.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court